

CONGRESS PASSES VOTER REGISTRATION EFFORTS IN COLLEGES

The Congress passed a bill (HR6) that related to funding of college and university programs but also contained a provision affecting voter registration of students at those institutions. Originally HR6 contained an amendment by Rep. Eva Clayton (D-NC) to require colleges to establish a voter registration effort at the same time students enrolled for classes and the amendment further required use of the Federal Mail Registration form and a declination form if the students declined to register. The Senate amended HR6 and incorporated an amendment from Sen. Jeff Bingaman (D-NM) that was much less stringent. The bill went to a Senate/House conference committee and the language that was finalized and passed is listed below. Elections officials from around the country made direct recommendations to Sen. Bingaman's office, as well as to the conferees that changed the language to something most believe will be workable for all. The actual language of the section of the bill dealing with voter registration (Sec. 489 (b)) is:

(b) PROVISION OF VOTER REGISTRATION FORMS-

(1) PROGRAM PARTICIPATION REQUIREMENT- Section 487(a) (20 U.S.C. 1094(a)) is amended by adding at the end the following:

'(23)(A) The institution, if located in a State to which section 4(b) of the National Voter Registration Act (42 U.S.C. 1973gg-2(b)) does not apply, will make a good faith effort to distribute a mail voter registration form, requested and received from the State, to each student enrolled in a degree or certificate program and physically in attendance at the institution, and to make such forms widely available to students at the institution.

'(B) The institution shall request the forms from the State 120 days prior to the deadline for registering to vote within the State. If an institution has not received a sufficient quantity of forms to fulfill this section from the State within 60 days prior to the deadline for registering to vote in the State, the institution shall not be held liable for not meeting the requirements of this section during that election year.

'(C) This paragraph shall apply to elections as defined in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1)), and includes the election for Governor or other chief executive within such State).'

(2) REGULATION PROHIBITED- No officer of the executive branch is authorized to instruct the institution in the manner in which the amendment made by this subsection is carried out.

President Clinton signed the bill into law on October 7. It exempts the states not required to implement the mandates of the NVRA (Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin and Wyoming).